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Attorneys for Defendant  
NXP SEMICONDUCTORS USA, INC.  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GREGORY BENDER,  
Plaintiff,  
vs.

INFINEON TECHNOLOGIES NORTH  
AMERICA CORP., a Delaware corporation,  
NXP SEMICONDUCTORS USA, INC., a  
Delaware corporation, ON SEMICONDUCTOR  
CORPORATION, a Delaware corporation, and  
SILICON LABORATORIES INC., a Delaware  
corporation,  
Defendants.

Case No. 5:09-cv-02112-JW

**STIPULATION AND [PROPOSED] ORDER  
OF DISMISSAL OF CLAIMS AND  
COUNTERCLAIMS WITH PREJUDICE**

Judge: Hon. James Ware

1 Plaintiff Gregory Bender ("Bender") and Defendant and Counterclaimant NXP Semiconductors  
2 USA, Inc. ("NXP") hereby submit this Stipulation of Dismissal.

3 Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Bender and NXP  
4 hereby stipulate to dismiss with prejudice all claims and counterclaims in this action asserted by  
5 Bender against NXP and by NXP against Bender. This dismissal applies only to NXP; Bender does  
6 not dismiss any claims pending against any other defendant in this case. Bender and NXP stipulate  
7 that each will bear its own costs and attorneys' fees relating to the dismissed claims.

8 IT IS SO STIPULATED.

9 Dated: March 11, 2010

Respectfully submitted,

10 HOWREY LLP

11  
12 By: /s/ Denise M. De Mory

13 Denise M. De Mory  
14 Attorneys for Defendant  
NXP SEMICONDUCTORS USA, INC.

15 In accordance with General Order No. 45, Section X(B), the above signatory attests that  
16 concurrence in the filing of the document has been obtained from the signatory below.

17 Dated: March 11, 2010

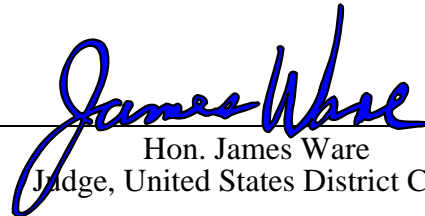
DAVID N. KUHN

18  
19 By: /s/ David N. Kuhn

20 David N. Kuhn  
21 Attorneys for Plaintiff  
22 GREGORY BENDER

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

24  
25 Dated: March 15, 2010

26   
Hon. James Ware  
Judge, United States District Court